



USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC#

DATE FILED: 5/15/08

CONWAY, FARRELL, CURTIN & KELLY, P.C.

ATTORNEYS AT LAW

48 WALL STREET - 20TH FLOOR

NEW YORK, NEW YORK 10005

(212) 785-2929

FAX (212) 785-7229

KEITH D. GRACE

(212) 993-9312 (direct dial)

(212) 993-9389 (direct fax)

EMAIL:

kgrace@conwayfarrell.com

May 15, 2008

Via Facsimile (212) 805-7933

Hon. Andrew J. Peck, United States Magistrate Judge
United States Courthouse
500 Pearl Street, Room 1370
New York, New York 10007-1312

RE: Ngwa v. Castle Point Mortgage, Inc.
Docket: 08-cv-00859-~~HB~~ (AJP)
Our Client: Castle Point Mortgage, Inc., Heather Gearin and Royal Settlement Services, Inc.
Our File #: LLU23133

MEMO ENDORSED
APPROVED
BY FAX
SO ORDERED:
Hon. Andrew J. Peck
United States Magistrate Judge
May 15, 2008

REQUEST FOR 15 DAY EXTENSION OF TIME TO ANSWER OR MOVE

Dear Judge Peck:

We represent defendants Castle Point Mortgage, Inc. ("Castle Point") and Royal Settlement Services, Inc. ("RSS") in the above-referenced matter. I write to request a short extension of the deadline to answer or move to **May 30, 2008**. The current deadline is today, May 15, 2008, as set by Your Honor at our initial conference. I have made several attempts to reach plaintiff's counsel today, but have been unable to reach him to obtain a stipulated extension. I do not believe he would be opposed to the extension. I am aware that plaintiff's counsel agreed to an extension by our co-defendant GMAC an extension to this same day, which Your Honor signed today.

The extension is necessary in part allow plaintiff time to serve defendant Gearin, for whom plaintiff's counsel has recently been provided with a current address. The undersigned expects to represent Ms. Gearin as a former employee of Castle Point upon her being served, but it is our understanding that plaintiff is still attempting service with the recently provided address information.

As I indicated at the initial conference, defendants Castle Point and Royal will be making a pre-answer motion to dismiss certain claims, and it will significantly streamline matters if we are able to move on behalf of Ms. Gearin as well, rather than making a separate motion. We discussed this issue before Your Honor at the initial conference, and discussed the possibility of a further extension if necessary in order to avoid the need for separate motions. While nothing

was agreed at the conference, we believe it was understood that a reasonable brief extension would be stipulated to and approved if necessary.

This is Castle Point and Royal's first request to Your Honor for an extension of their deadline to answer or move. The parties stipulated to, and were granted, one prior extension by Justice Baer before the parties consented to transfer of the matter to Your Honor. Your Honor changed that deadline (April 30, 2008) to the current deadline (May 15, 2008) due to plaintiff's recent filing of an Amended Complaint.

We respectfully request that Your Honor approve the requested extension, making the deadline May 30, 2008, the same day as our co-defendant's new deadline.

Respectfully,

CONWAY FARRELL CURTIN & KELLY, P.C.

A handwritten signature in black ink, appearing to read "Keith D. Grace", with a long horizontal flourish extending to the right.

By: Keith D. Grace (KG6230)

cc: David M. Harrison, Esq. (via fax)
Attorney for Plaintiff
48 Willoughby Street
Brooklyn, New York 11201
(718) 243-2109
(718) 243-1144 fax

FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933
Telephone No.: (212) 805-0036

Dated: May 15, 2008

Total Number of Pages: 3

TO	FAX NUMBER
David M. Harrison, Esq.	718-243-1144
Keith D. Grace, Esq.	212-785-7229
Andrew S. Muller, Esq. Stan L. Goldberg, Esq.	212-593-0353

TRANSCRIPTION:

MEMO ENDORSED 5/15/08

Approved.